FOR MYSORE STATE

Revenue (1950) Department.

MS. SERIES.

Chaitra
By

G.O. NO. 477

Dated 22-2-50.

32869 R67

[Despatch Abstract.]

States - Saudur - Merger - Extension of Indian Stamp Act 1899, Indian Registration Act 1908 - Papers - Recorded

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Further Papers.

G.O.	No.	Department.	Date.	G O.	No.	Department.	Date.
MS	[illegible]	Revenue	28-6-52				
Ms.	2887	Rev.	4-11-52				

Rpt. Sandur - Orders

Rpt. Go No 143 / Go No. / Secretariat Go No 1145 Put d 27-4-49 / No 1161 Put 29-4-49

Revenue Department.

STATE SECRETARIAT GOVERNMENT (26 APR 1949)

To A.S.

Please see the G.Os. on pp.1-9 ante.

2. Consequent on the merger of Sandur State into the Indian Union, the questions whether the State may be treated as an independent sub-taluk of Bellary dist. and whether the post of Spl.Officer who is in charge of the administration of the State may be converted into that of Dy.Tahr. are being considered separately.

3. As regards extension of the Acts to Sandur State, it is understood from the Pub.(Pol.) that the question whether the issue of notifications in respect of all Acts to be extended to Sandur State may be done in Legal Dept. has been raised by that Dept. That Dept. will no doubt issue necessary instructions in the matter in due course. However, before the issue of notification, proposals regarding the extension of Acts to Sandur State will have to be examined and orders obtained in circulation in this Dept. It is therefore for orders whether this Dept. may take up the question of extension of Acts with which Rev. are concerned, to the Sandur State.

This Dept. may examine the qn. in the light of the orders issued in regard to Pudukkottai and Banganapalle. The Bd. may also be consulted. A

V.S.
10-5-49

M.V.S.

4. Pub.(Pol.) may see for remarks.

V.S.
10-5-49

M.V.S.
10-5-49

Pub.(Pol.) Dept.

Notes of Rev. on p.10 ante may be perused. The procedure suggested at A on p.10 ante may be agreed to and the file returned to revenue.

KK
17-5-49.

To A.S.

Please see the notes from p.10 ante. The Pub.Dept. have agreed to the proposals at 'A' ~~on p.10~~ ante. Extracts of the notes may be given to all sections for necessary action in respect of Acts with which they are concerned.

Sections to attend to this expeditiously.

V.S.
23-5-49.

2

Reg 2287053
26/5/49

ASSISTANT SECRETARY TO GOVERNMENT
26 MAY 1949

Government of Madras.
***

Extract from Public (Political) Department file No.2677/49.

States - Sandur - Merger - Taking over the administration of Departments.

...

Under instructions from the Government of India this Government took over the administration of Sandur State in July 1948. From then the administration of the State is being carried on by this Government in the name and on behalf of the Ruler. All matters relating to the administration of the State were being attended to in this department.

2. Now the Ruler of Sandur has signed the merger agreement agreeing to the merger of the State with the Indian Union with effect from 1-4-49. The Government of India have also issued a notification delegating to this Government under the Extra Provincial Jurisdiction Act, necessary powers for the governance of the merged area. The Government of India notification will be published in an extraordinary issue of the Fort St.George Gazette.

3. It has already been decided that in respect of the merged States the Departments of the Secretariat should attend to the matters (including the extension of laws) with which they are concerned - Vide Public (Political) U.O.Note No.2971/48-2 dated 5-8-48. The Departments of the Secretariat may therefore be requested to take necessary action for the taking over the administration of the Departments in the Sandur State with which they are concerned by the concerned Heads of Departments of this Government.

(E)

4. As regards the extension of the laws in force in this Province to Sandur this Department have suggested in a note to be sent to Home Department that the laws in force in this Province need not be extended immediately and that pending the extension of the laws in force in this Province, the State laws may be retained and that orders may be issued retaining the existing State laws and judicial institutions. Orders in this regard will be issued in Home Department. It seems that to enable our Heads of Departments to take over the administration of the departments in the State and run them with reference to the State laws a formal authorisation by Government under the Extra Provincial Jurisdiction Act,1947 will be necessary. Legal may be requested to advise.

xx xx xx

Legal Department.

A on page 2 ante: This Department agrees with the view of the
B Public (Political) Department expressed here.

xx xx xx

Public (Political) Department.

A.P.N. Proposal (i) above. Extracts of paragraphs 1 to 4 of this department's note on pp.1-2 and of Legal's note at B on page 3 above may be sent to all departments of the Secretariat (all sections) including Public for necessary action.

In the case of Pudukkottai and Banganapalle each notification was issued separately by the department concerned and the same procedure may be followed in the case of Sandur also. Each Act may

be/...

3

be examined separately and applied to Sandur in the orders of urgency with such modifications, adaptations or omissions as are necessary. There seems to be no special advantage in issuing a consolidated notification. On the other hand the consolidation work is likely to cause delay and complications. It might be necessary to extend some of the fiscal Acts immediately for administrative or other reasons and it seems unnecessary to delay such Acts for the sake of issuing an omnibus and consolidated notification. Such a notification with various modifications and saving clauses and schedules will also be inconveniently large and cumbersome. The departments may therefore examine each case and issue a consolidated notification in respect of all the Acts with which they are concerned as far as possible. Urgent and isolated cases may be dealt with separately.

xx xx xx

I still think that for the reasons stated at page 5 ante it would be more convenient to leave it to the departments concerned to issue a consolidated notification in respect of all the Acts with which they are concerned. As all notifications will be scrutinised by Legal and as that department have recently circulated to all departments a model notification, uniformity in language may be expected.

xx xx xx

A.R.N.
16-5-49.

I agree. The procedure suggested at A above may be followed.

C.K.V.
17-5-49.

Public (Political) Department.

U.O.Note No.2905/49-2 dated the 19th May 1949.

Communicated to the Departments of the Secretariat. for necessary action.

C.K.Vijayaraghavan,
Chief Secretary to Government.

To the Departments of Secretariat including Public (all sections.

Forwarded/By order

Superintendent.

mdk.23/5-

Government of Madras.
Public (Political) Department.
***
U.O.Note No.2905/49-3 dated the 26th May 1949.
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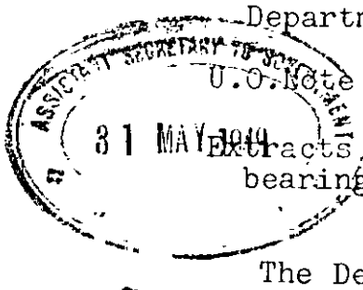
a 34103K 3
31.5.49.

States - Sandur - Merger - Taking over administration of States Departments and application of Provincial and Central laws.

U.O.Note No.2905/49-2 Public (Political) dated 19-5-1949.



Extracts of notes Public (Political) Department file bearing C.No.2677/49.

The Departments of the Secretariat may be requested to substitute the following extracts for those communicated with the U.O. note of the same number and date as mentioned above:-

Now the Ruler of Sandur has signed the merger agreement agreeing to the merger of the State with the Indian Union with effect from 1-4-49. The Government of India have also issued a notification delegating to this Government under the Extra-Provincial Jurisdiction Act, necessary powers for the governance of the merged area. The Government of India notification has already been published in an extraordinary issue of the Fort St.George Gazette.

It has already been decided that in respect of the merged States the Departments of the Secretariat should attend to the matters (including the extension of laws) with which they are concerned - vide Public (Political) U.O. Note No.2971/48-2 dated 5-8-48. The Departments of the Secretariat may therefore be requested to take the necessary action for the taking over the administration of the Departments in the Sandur State with which they are concerned by the concerned Heads of Departments of this Government.

As regards the extension of the laws in force in this Province to Sandur this Department have suggested that the laws in force in this Province need not be extended immediately and that pending extension of the laws in force in this Province, the State laws may be retained and that orders may be issued retaining the existing State laws and judicial institution. Orders in this regard will be issued in Home Department. It seems that to enable our Heads of Departments to take over the administration of the Departments in the State and run them with reference to the State laws a formal authorisation by the Government under the Extra Provincial Jurisdiction Act,1947 will be necessary. Legal may be requested to advise.

As regards the application of the laws in force in this Provin both Provincial and Central to Sandur the Departments of the Secretariat will have to take necessary action for the extension of Acts with which they are concerned, bearing in mind the general instructions issued by the Government of India in their letter No.F.41(7). IB/48 dated 25-2-48. Recently in connection with the application of these laws to Pudukkottai and Bananapalle Legal Department expressed the desirability of issuing a consolidated notification in the place of the piecemeal notifications issued by the different Departments of the Secretariat. Legal may be requested to consider the expediency of asking the different Departments to send to them in due course proposals for the extension of Acts with which they are concerned so that a consolidated notification may be issued from Legal.

Legal may see for remarks.

A.R.N.
29-4-49. Legal.

Public (Political) U.O.
No.2677/49-1 d/29-4-49.

p.t.o.

Legal Department.

A above: This Department agrees with the view of the
B. Public (Political) Department expressed here.

B ibid: The notifications in respect of Pudukkottai and Banganapalle extending the Central and Provincial Acts were issued by the administrative Departments concerned and in some cases by the Public (Political) Department. Before extending the Acts to those two States, heads of departments were consulted as regards modifications to be made in those Acts. Similarly, before extending particular Acts to Sandur it may be desirable, and even necessary, to consult heads of departments concerned and make modifications, if any, that may be required in the Act. This Department may, therefore, suggest that the notifications may be prepared by the administrative departments concerned and then sent to Public (Political) for consolidation and issue. Public will no doubt refer any legal point which may arise to this Department for advice, and also send the consolidated notification for scrutiny by this Department.

(Sd.) xx xx xx
A.S.I. A.S.II. J.S. K.V.R.
7/5/49. 7/5/49 7/5/49 7/5/49.

Public (Political)

Legal U.O.No.5634/49-1
dated 7-5-1949.

Public (Political) Deptt.

The proposals in this file relate to (1) the taking over the administration of Departments in Sandur by the Heads of Departments concerned and (ii) the extension of laws in force in this province to Sandur.

Proposal(i) above. Extracts of paras 2 to 4 of this department's note above and of Legal's note at B above may be sent to
A.R.N. all Departments of the Secretariat (all sections) including Public for necessary action.

Proposal (ii) above. Legal suggest that this department may collect proposals from the different departments of the Secretariat for the extension of laws to Sandur and then take necessary action for issuing a consolidated notification. It is submitted that if this work is to be undertaken in Public Deptt. then an additional upper division clerk will be required to deal with the subject. As previous proposals for sanction of additional staff for Public (Political) had to be dropped due to the objection of Finance department it is for consideration whether this work may be taken up by this department and the sanction of the post of an additional upper division clerk asked for or in the alternative whether the departments of the secretariat may be asked to issue a consolidated notification in respect of all the Acts with which they are concerned.

In the case of Pudukkottai and Banganapalle each notification was issued separately by the deptt. concerned and the same procedure may be followed in the case of Sandur also. Each Act may be examined separately and applied to Sandur in the orders of urgency with such modifications, adaptations or omissions as are necessary. There seems to be no special advantage in issuing a consolidated notification. On the other hand the consolidation work is likely to cause delay and complications. It might be necessary to extend some of the fiscal Acts immediately for administrative or other reasons and it seems unnecessary to delay such Acts for the sake

of/...

of issuing an omnibus and consolidated notification. Such a notification with various modifications and saving clauses and schedules will also be inconveniently large and cumbersome. The Departments may therefore examine each case and issue a consolidated notification in respect of all the Acts with which they are concerned as far as possible. Urgent and isolated cases may be dealt with separately. There will be no need for any additional staff of the above suggestion is accepted.

Legal may perhaps see again.

A.R.N.
12-5-49. C.K.V.
12-5-49. Legal.

Pub.(Poll.)U.O.No.
2905/49-1 d/12-5-49.

Legal Department.

Seen in Legal.

The difficulties and disadvantages of each Department issuing separate notifications have already been pointed out by this Department in another file. A copy of that note is placed at flag (V). This Department has no further remarks to offer.

xx xx
A.S.I. A.S.II.
13/5/49. 14-5-49.

If separate notifications are to be issued, apart from the difficulty pointed out in the note at 'V', there will also be the possibility of some of the Acts being omitted, each department thinking that it is not concerned with them, or of some of the Acts being extended by more than one department, one department not being aware of ~~this~~ extension by the other. It is for these various reasons that this department advised the issue of a single consolidated notification.

xx xx
14/5/49.
Pub.(Poll.)

Legal U.O.No.
6036/49-1 d/14-5-49.

Public (Political)Deptt.

It appears from the Legal department note above that they reiterate their original proposal. If that is to be pursued additional staff is absolutely necessary. Public (Political) has already 4 upper division clerks and one Superintendent. If the additional upper division clerk is attached to Public (Political) the section has necessarily to be bifurcated. It is also submitted that the work in this file is not of an ordinary nature and the attention of a full time Superintendent is necessary for the subject. Submitted for orders.

A. I still think that for the reasons stated at page 5 ante it would be more convenient to leave it to the departments concerned to issue a consolidated notification in respect of all the Acts with which they are concerned. As all notifications will be scrutinised by Legal and as that department have recently circulated to all departments a model notification, uniformity in language may be expected. The possibility of some of the Acts being omitted can be avoided by checking the list of Acts extended by the departments. For orders whether in the circumstances the question of issuing a consolidated notification by Public (Political) may be dropped. If, however, it is considered that Public (Political)

C.K.V. 17/5

should/...

should undertake the work, Finance may be requested to agree to the proposal to sanction the post of a Superintendent, say, for 2 months for the present.

A.R.N
16-5-49. C.S.

I agree. The procedure suggested at A above may be followed.

C.K.V.
17-5-49.

/True copy/

To the Departments of the Secretariat
including Public(all sections.)

mdk.26/5-

Superintendent.

8

Government of Madras. 47EE(K3) 6/8

EXTRACT from Collectorate Report Ref.C.No.5364/49-C.C. dated 4-6-49

xxx xxx xxx

REGISTRATION: There is one Sub-Registrar for the state and this work is being attended to by the Revenue Assistant. The schedule of fees in the state is the same as in the Madras Province. The average annual income on this account is about Rs.700/- and on an average about 250 documents were registered every year. If the territory is formed into a separate taluk, with Tornagal and Choranur firkas added on to it, it is necessary to have a Sub-Registry office at Sandur. Even otherwise it is very necessary that this amenity should be continued, as it is essential that the people should not feel that they have lost anything by the merger.

EXTRACT of Board's Report No.W.4366/49-2, dated 14-7-1949.

xx xx xx

15. ~~REGISTRATION, PUBLIC WORKS DEPARTMENT, ELECTRICAL DEPARTMENT, TRANSPORT, WATER WORKS, JAILS, AGRICULTURE, VETERINARY, FOREST, CENTRAL EXCISE.~~

The Departmental heads concerned may be asked to look into the various questions relating to their departments. The Motor Vehicles Taxation Act may have to be extended to the State.

Public (Political) Department

The above extracts may be sent to Revenue for necessary action.

K. Ramunni Menon,
Chief Secretary to Government.

To the Revenue Department, Madras.

Pub. (Poll.) Deptt. U.O. No. 2807/49-4
D 5-8-1949.

TRUE COPY.

Superintendent.

SS.Sm./1-8.

5/8/

ADDITIONAL ASST. SECRETARY TO GOVERNMENT

Government of Madras. 47081K3

EXTRACT from Collector's Report Ref.C.No.5364/49-C.C., dated 4-6-1949.

xx xx xx

19. STAMPS: As submitted in paragraph 8 above, the Treasury Officer is also the Collector of stamps. The state has its own judicial and non-judicial stamps bearing the effigy of the Rajah Saheb. The value of the stock of stamps is Rs.56,889-11-0 and the income to the state from this head is about Rs.5,000/- a year. Consequently the present stock is expected to last for about ten years. As the State has merged in the Dominion, the Rajah's stamps may be withdrawn from circulation. Alternatively, to avoid wastage, the seal of the Madras Governmentmay be super imposed and the stamps made use of.

EXTRACT of Board's remarks No.W.4360/49-2, dated 14-7-1949.

xx xx xx

11. STAMPS: The Board considers that it is not worth-while superimposing the seal of Madras Government and thus utilising the stamps of the Bandur Governme.t. The cost of printing the stamps ~~of the Bandur Sax~~ for the merged area may not be considerable. The question of extending the Indian Stamp Act and the Court Fees Act to the merged area deserves consideration.

Public (Political) Department

An extract of this section may be given to the Home and the Revenue Departments who may be requested to take necessary action. There is no further action in this department on this section.

K. Ramunni Menon,
Chief Secretary to Government.

To the Home Department, Madras.
Revenue Department, Madras.

Publ(poll.) Deptt. U.O.No. 2807/49-4
dt 5-8-1949

TRUE COPY.

Superintendent.

SS. Sm./31-7.

Draft I

O.M. No. 32-869-IK/49-I-dt. 26-8-49

Subject:- Sanction - Merger - Sub-registry office at Sandur - Enhancement

A. Secretariat file. Govt. O.M. No. 312/96 A/48-2 dt. 6/7/48.

H'm 12-8-49

An extract from the report of the Collector, Bellary together with the report of the Board of Revenue thereon is forwarded to the D.G. of Region for necessary action.

To the D.G. of Region with an extract of H'm 12-8-49.

PB
11.8.49.

12.8.49.

10 Rs

Draft

Issue Section
26/8

II

X. A II

O.M no 32869 K/45-2 of 26-8-49.

States - Saurashtra - Merger - Extension of the Indian Stamp Act - From the Bd of Rev no W. 4366/45-2 of 14/7/48.

— x —

The attention of the Board of Rev is invited to Memo no 31296 A/49-2 Rev of 6/7/49, in which the Bd was requested to submit proposals for the extension of the Indian Stamp Act to the state of Saurashtra at an early date. The Bd's proposals are awaited. The Bd is also requested to state what it proposes to do with the

12

Rajasthan stamps consequent on the extension of the Indian stamps Act to the State.

25/8/49

25.8.49

To the Hon'ble

[illegible]

16. [illegible]
17. [illegible]
18. [illegible]
19. [illegible]
20. [illegible]
21. [illegible]
22. [illegible]
23. [illegible]
24. [illegible]
25. [illegible]
26. [illegible]
27. [illegible]
28. [illegible]
29. [illegible]
30. [illegible]
31. [illegible]
32. [illegible]

[illegible]

[illegible] - [illegible] - [illegible] - [illegible] Muslims of Provincial and Central Legislatures.

[illegible]

[illegible]

Signed (New A)

28/10/49

R 79003K
REVENUE DEPARTMENT

REVENUE DEPARTMENT.

Subject:

STATES - Sandur Acts - Extension of - Report - Submitted.

Ref.W.5390/49-8 Station: M a d r a s. Dated 6th December 49.

From

Sri C.V. Narasimhan, I.C.S., Secretary, Board of Revenue.

Sri S. Ranganathan, I.C.S., Commissioner of Land Revenue.

Read: From the Collector of Bellary C.7194/49 dt.28-9-49.
Govt.Memo.Rev.Dept.32869/K.47-4 dt.26-10-49.
do. 45677/G.Home,dt.6-6-49.
From the Collector of Bellary D.Dis.6981/49 dt.12-7-49.
do. Rc.7194/49 S1 dt.21-10-49.

.....

REFERENCE:

** ** **

2. The Board invites the attention of the Government to their Memo dated 26-10-49 and the letter dt.21-10-49 from the Collector of Bellary. In view of the reasons stated by the Collector the Board recommends that the early extension of the Indian Stamp Act and the Court Fees Act and also the early introduction of the non-judicial and judicial stamps in use in this province to the merged area. As it is necessary to allow reasonable time for the surrender of unused state stamps the Board suggests that the Indian Stamp Act and the CourtFee Act may be introduced in the State area with effect from 1-3-50 and along with it the stamps in vogue in this province may also be introduced. The remaining stock of State stamps may be ordered to be destroyed.

** ** **

for SECRETARY

To

The Secretary to Government, Development Department (para 1 only) with enclosure.
The Secretary to Government, Revenue Department (para 2 only) with enclosure.
TheSecretary to Government, Home Department (paras 2 and 3 only) with enclosures.

PLG/7/12.

Copy of Ref.7194/49 S1 dated 21-10-49 from the Collector of Bellary.

...

STATES -. Sandur - Extension of Acts.
Ref: Bd's Ref.W.5380/49-6 dt.13-9-49.
This office Ref.No.7194/49 S1 dt.19-9-49.

...

In continuation of this office reference read above, I submit the following:

2. The value of the various stamps of the late Sandur Govt. in stock at the Sandur Treasury on 3-10-49 is as follows:

Revenue Stamps	Rs. 9530	0	0
General Stamps(Non-adhesive)	10105	11	0
Court Fee stamps.	35964	0	0
Total ...	55599	11	0

In addition to the above there are 441 stamps without value marked on them. The value is as impressed on them by the Treasury Officer by an impressing machine and attested by him before issue.

The income from stamps of the state is an an average Rs. 5000/- a year and at this rate the present stock of stamps will last for about 10 years, if they are used. The Special Officer, Sandur reports to me that the stamps do not have any dates or other mark to prevent fradulent use of old stamps.

3. I therefore consider that it is unsafe to use them in future and suggest that the existing stock may be ordered to be destroyed and the Indian Stamp Act and the Madras Stamps introduced in Sandur.

(sd) x x x
forCollector.

/True copy/

FOR SECRETARY.

PLG/7/12.

22.12.44

Express Delivery.

Issue of Tuesday 5.7.45

27.12.44

Draft II

17

Rev. Dept

Memo. no 82869 K/44-1 of 27-12-44

Subject: Stamps — Merged State of Sandur — Extension of the Indian Stamp Act — Instructions

pp 15-16 CF

From the Board of Rev. M.S. 880/44-8 of 6.12.44

The Collr. of Bellary is informed that it is proposed to extend the Indian Stamp Act 1899, together with the amending Acts to Sandur (the merged State of) with effect from 1.1.1950 The Collr. is requested to withdraw on that date the stock of State stamps from all the Treasuries, stamp vendors and the public and issue instead stamps of this Province and of the Dominion of India. He is also requested to take steps to destroy the unsurrendered State stamps, after observing the formalities prescribed

(PTO)

Draft I

Rev. Draft

Press Note no 243 dated 28-12-45

The Indian Stamp Act – Extension to the merged State of Sandur.

It is proposed to undertake legislation soon to extend the Indian Stamp Act of 1899 as amended from time to time to the area of the merged State of Sandur with effect from 1.1.1950. The Govt desire to make it clear to the public of Sandur that if the legislation goes through all documents executed on or after that date will have to be on the Indian Stamp paper. as soon as the Bill is passed into law 1.1.50

Copy to the Board of Revenue
" the Collr of Bellary

DSP Key 30.11.1945 MM

Sd 25/12/45

Key 24/12/45

MM

Asstt

21

GOVERNMENT OF MADRAS.
PUBLIC WORKS(INFORMATION AND PUBLICITY)DEPARTMENT.
***

PRESS NOTE NO.243, dated 28th December 1949.

THE INDIAN STAMP ACT - EXTENSION TO THE MERGED STATE OF SANDUR.

It is proposed to extend the Indian Stamp Act of 1899 as amended from time to time to the merged state of Sandur with effect from 1st January 1950. The Government desire to make it clear to the public of Sandur that as soon as the Bill is passed into law all documents executed on or after 1st January 1950 will have to be on Indian stamp paper.

/Issued by the Director of Information and Publicity/

VRG.28/12.

22

XXXV

ACT No. OF 1949.

An Act to extend certain laws to the States of Pudukkottai, Banganapalle and Sandur which are administered as parts of the Province of Madras.

WHEREAS by an Order made under section 290-A of the Government of India Act, 1935, provision has been made for the administration of the States of Pudukkottai, Banganapalle and Sandur as if they formed part of the Province of Madras ;

26 Geo. 5, ch. 2.

AND WHEREAS it is expedient to provide that certain laws should be extended to, and by virtue of such extension, should be in force in, the said States ; It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Madras Merged States (Laws) Act, 1949.

(2) It shall come into force on the 1st day of January 1950.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context

(1) the expression "merged States" means the States of Pudukkottai, Banganapalle and Sandur, and the expression "merged State" means any of those States

(2) the expression "new Provinces" means the Chief Commissioners' Provinces constituted by the States Merger (Chief Commissioners' Provinces) Order, 1949, as amended by the States' Merger (United Provinces) Order, 1949.

Extension of enactments.

3. So much of the enactments specified in the First Schedule as extends to the Province of Madras and relates to matters with respect to which the Provincial Legislature has power to make laws for the Province, is hereby extended to, and shall be in force in, the merged State or States specified in the corresponding entry in the first column thereof.

Interpretation of enactments as extended.

4. In any enactment specified in the First Schedule, notwithstanding anything contained in the General Clauses Act, 1897, or in the Madras General Clauses Act, 1867, or in the Madras General Clauses Act, 1891—

Central Act X of 1897.

Madras Act I of 1867.

Madras Act I of 1891.

(*a*) any reference, by whatever form of words, to the Acceding States shall be construed as not including a reference to any of the merged States or to any of the States (other than the United State of Saurashtra) mentioned in the States' Merger (Chief Commissioners' Provinces) Order, 1949, as amended by the States' Merger (United Provinces) Order, 1949 ;

(*b*) any reference, by whatever form of words, to Indian British subjects shall be deemed to include a reference to persons who, immediately before the 1st day of August 1949, were subjects of any of the merged States or of any of the States (other than the United State of Saurashtra) mentioned in the States' Merger (Chief Commissioners' Provinces) Order, 1949, as amended by the States' Merger (United Provinces) Order, 1949 ;

(*c*) any reference, by whatever form of words, to the Provinces generally or to the Chief Commissioners' Provinces generally shall be construed as including a reference to the new Provinces ; and

(*d*) any reference, by whatever form of words, to the Province of Madras shall be construed as including a reference to the merged State or States concerned.

Repeal of corresponding laws.

5. If, immediately before the commencement of this Act, there is in force in any merged State, an Act, Ordinance, Regulation or other law corresponding to an enactment specified in the First Schedule, whether such Act, Ordinance, Regulation or other law is in force by virtue of an Order under the Extra-Provincial Jurisdiction Act, 1947, or by virtue of any other legislative power, such corresponding law shall, upon the commencement of this Act, stand repealed to the extent to which the law relates to matters with respect to which the Provincial Legislature has power to make laws for the Province : Central Act XLVII of 1947.

Provided that nothing contained in this section shall affect the operation of the transitional provisions contained in the Schedule to Local Administration Department Notifications Nos. 253 and 254, dated the 29th March 1949, published at pages 125 and 126 of Part I-A of the *Fort St George Gazette*, dated the 29th March 1949.

Savings.

6. (1) The repeal by section 5 of this Act of any corresponding law in force in any merged State immediately before the commencement of this Act shall not affect—

(*a*) the previous operation of any such law, or

(*b*) any penalty, forfeiture or punishment incurred in respect of any offence committed against any such law, or

(*c*) any investigation, legal proceeding or remedy in respect of any such penalty, forfeiture or punishment,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(2) Subject to the provisions of sub-section (1), anything done or any action taken, including any appointment or delegation made, notification, order, instruction or direction issued, rule, regulation, form, by-law or scheme framed, certificate, patent, permit or licence granted or registration effected, under such corresponding law shall be deemed to have been done or taken under the corresponding provision of the enactment as now extended to, and in force in, the merged State and shall continue in force accordingly unless and until superseded by anything done or any action taken under the said enactment.

Powers of Courts and other authorities for purposes of facilitating application of laws.

For the purpose of facilitating the application in any merged State of any enactment specified in the First Schedule, any Court or other authority may construe such enactment with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the Court or other authority.

Extension of Madras Act III of 1931.

8. (1) The Madras Motor Vehicles Taxation Act, 1931, as amended by sub-section (2), is hereby extended to, and shall be in force in, the merged States; and sections 4 to 7 shall apply in relation to that Act as if it had been included in the First Schedule. Madras Act III of 1931.

(2) The Act aforesaid shall be amended as follows :-

(*a*) To section 2, clause (iii), the following words shall be added at the end, namely :—

'and includes in the area which formerly formed part of the State of Pudukkottai, a panchayat constituted under any enactment for the time being in force in that area."

(*b*) To section 10, the following Explanation shall be added, namely :

Explanation.—The provisions of this section shall apply in relation to any area which formerly formed part of the State of Pudukkottai, Banganapalle or Sandur as if the Provincial Government had power to pay such compensation to the local bodies in the said area as the Provincial Government may, by order, determine."

Madras Act VI of 1932.

Extension of Madras Act VI of 1932.

9. (1) The Madras Co-operative Societies Act, 1932, as amended by sub-section (2), is hereby extended to, and shall be in force in, the merged States; and sections 4 to 7 shall apply in relation to that Act as if it had been included in the First Schedule.

(2) To sub-section (1) of section 62 of the Act aforesaid, the following paragraph shall be added, namely :—.

" Every society which has been registered under the law applicable to co-operative societies in the areas which formerly formed part of the State of Pudukkottai, Banganapalle or Sandur and the by-laws of which are not inconsistent with the express provisions of this Act or any rule made thereunder, shall, if the Registrar by an order in writing so declares, be deemed to be registered under this Act and its by-laws shall continue in force until they are altered or rescinded."

Madras Act X of 1937.

Extension of Madras Act X of 1937.

10. (1) The Madras Prohibition Act, 1937, as amended by sub-section (3), is hereby extended to, and shall be in force in, the States of Pudukkottai and Banganapalle; and sections 4 to 7 shall apply in relation to that Act as if it had been included in the First Schedule.

(2) The Act aforesaid as amended by sub-section (3), is hereby extended to the State of Sandur; and when the whole of that Act is brought into force in that State, sections 4 to 7 shall apply in relation to that Act as if it had then been included in the First Schedule.

(3) To section 2 of the Act aforesaid, the following Explanation shall be added, namely :—

" *Explanation.*—For the removal of doubts, it is hereby declared that if a notification is issued in pursuance of the foregoing proviso, in respect of any area which formerly formed part of the State of Pudukkottai, Banganapalle or Sandur, the enactments mentioned in the Schedule with any subsequent statutory modifications thereof shall come into force in such area with effect on and from such date as may be specified in the notification."

Madras Act II of 1948.
Madras Act XXII of 1948.

Extension of Madras Act II of 1948 and XXII of 1948.

11. The Madras Silkworm Diseases (Prevention and Eradication) Act, 1948, and the Madras Weights and Measures Act, 1948, are hereby extended to the merged States; and when the whole of either of the said Acts is brought into force in any merged State, sections 4 to 7 shall apply in relation to that Act as if it had then been included in the First Schedule.

Madras Act VII of 1949.

Extension of Madras Act VII of 1949.

12. The Madras City Police and Gaming (Amendment) Act, 1949, is hereby extended to the merged States.

Special provision in respect of Banganapalle.

13. Any judgment delivered, order made or sentence passed before the 1st day of April 1949 by any Court, civil or criminal, having jurisdiction in respect of the State of Banganapalle or any part thereof shall, for all purposes including execution, appeals and the like, take effect and shall be deemed always to have taken effect, as if it had been delivered, made or passed by the Court which would have been competent to deliver, make or pass such judgment, order or sentence on the said date.

Central Act V of 1861.

Special provisions in respect of Sandur.

14. (1) Sections 15, 15-A, 16, 30, 31 and 32 of the Police Act, 1861, as in force in the Province of Madras are hereby extended to, and shall be in force in, the State of Sandur.

(2) (*a*) So much of the Sandur State Railways (Jurisdiction) Proclamation, 1947, issued by the Ruler of the State of Sandur on the 15th day of August 1947 as relates to the exercise of powers by the police force belonging to that State in the railway lands in that State shall stand repealed.

(*b*) Any action taken by any member of the police force belonging to the Province of Madras on or after the 15th day of August 1947 and before the commencement of this Act in the railway lands in the State of Sandur shall be deemed to have been taken by a member of the police force belonging to that State in pursuance of the power conferred by the Proclamation aforesaid.

(3) (*a*) In regard to the first reconstitution in accordance with the provisions of the Madras Local Boards Act, 1920, as extended to the State of Sandur by this Act, of panchayats in existence at the commencement thereof, and otherwise in first giving effect to the said provisions, they shall be read subject to the rules in the Second Schedule. Madras Act XIV of 1920.

(*b*) The Provincial Government shall have power by notification in the *Fort St. George Gazette* to amend, add to or repeal the rules in the said Schedule.

(4) (*a*) Any judgment delivered, order made or sentence passed, before the commencement of this Act by any Court, civil or criminal, having jurisdiction in respect of the State of Sandur or any part thereof shall, for all purposes, including execution, appeals and the like, take effect and shall be deemed always to have taken effect as if it had been delivered, made or passed by the Court which would have been competent to deliver, make or pass such judgment, order or sentence immediately after such commencement.

(*b*) The High Court may, by general or special order, transfer any proceeding pending immediately before the commencement of this Act in any of the Courts, civil or criminal, having jurisdiction in respect of the State of Sandur or any part thereof, to any Court which would have jurisdiction to entertain such proceeding if it were instituted immediately after such commencement; and the Court to which the proceeding may be so transferred, shall have full power to dispose of the same as if it had been originally instituted in that Court.

Power to remove difficulties.

15. If any difficulty arises in giving effect to the provisions of this Act or of any enactment extended to any merged State by this Act, the Provincial Government, as occasion may require, may, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

THE FIRST SCHEDULE.

(*See* section 3.)

Names of States. (1)	*Year.* (2)	*Number.* (3)	*Short title.* (4)
		CENTRAL ACTS.	
Pudukkottai, Banganapalle and Sandur	1841	XXIV	The Illusory Appointments and Infants Property Act, 1841.
Do.	1850	XXXVII	The Public Servants (Inquiries) Act, 1850.
Do.	1851	VIII	The Indian Tolls Act, 1851.
Do.	1854	XXXI	The Conveyance of Land Act, 1854.
Do.	1855	XXIII	The Mortgaged Estates Administration Act, 1855.
Do.	1856	XV	The Hindu Widows' Remarriage Act, 1856.
Do.	1860	XXI	The Societies Registration Act, 1860.
Do.	1863	XX	The Religious Endowments Act, 1863.
Do.	1870	VII	The Court-fees Act, 1870.
Do.	1871	I	The Cattle-trespass Act, 1871.
Do.	1875	XVIII	The Indian Law Reports Act, 1875.
Do.	1876	XIX	The Dramatic Performances Act, 1876.
Do.	1878	I	The Opium Act, 1878.
Do.	1878	VI	The Indian Treasure-trove Act, 1878.
Do.	1880	XII	The Kazis Act, 1880.
Do.	1882	IV	The Transfer of Property Act, 1882.
Do.	1883	XIX	The Land Improvement Loans Act, 1883.
Do.	1884	XII	The Agriculturists' Loans Act, 1884.

Names of States. (1)	Year. (2)	Number. (3)	Short title. (4)
		CENTRAL ACTS—*cont.*	
Pudukkottai, Banganapalle and Sandur.	1886	VI	The Births, Deaths and Marriages Registration Act, 1886.
Do.	1887	VII	The Suits Valuation Act, 1887.
Do.	1887	IX	The Provincial Small Cause Courts Act, 1887.
Do.	1890	VI	The Charitable Endowments Act, 1890.
Do.	1894	I	The Land Acquisition Act, 1894.
Do.	1894	IX	The Prisons Act, 1894.
Do.	1895	XV	The Crown Grants Act, 1895.
Do.	1897	III	The Epidemic Diseases Act, 1897.
Do.	1897	IV	The Indian Fisheries Act, 1897.
Do.	1899	II	The Indian Stamp Act, 1899.
Do.	1899	XIII	The Glanders and Farcy Act, 1899.
Do.	1900	III	The Prisoners Act, 1900.
Do.	1908	XIV	The Indian Criminal Law Amendment Act, 1908.
Do.	1912	VIII	The Wild Birds and Animals Protection Act, 1912.
Do.	1914	II	The Destructive Insects and Pests Act, 1914.
Do.	1914	IX	The Local Authorities Loans Act, 1914.
Do.	1917	XXVI	The Transfer of Property (Validating) Act, 1917.
Do.	1918	II	The Cinematograph Act, 1918.
Do.	1918	X	The Usurious Loans Act, 1918.
Do.	1920	XIV	The Charitable and Religious Trusts Act, 1920.
Do.	1920	XXXIII	The Identification of Prisoners Act, 1920.
Do.	1920	XXXIX	The Indian Election Offences and Inquiries Act, 1920.
Do.	1922	XXII	The Police (Incitement to Disaffection) Act, 1922.
Do.	1923	III	The Cotton Transport Act, 1923.
Do.	1923	XLII	The Mussalman Wakf Act, 1923.
Do.	1925	XXXIX	The Indian Succession Act, 1925.
Do.	1926	XII	The Contempt of Courts Act, 1926.
Do.	1928	XII	The Hindu Inheritance (Removal of Disabilities) Act, 1928.
Do.	1929	II	The Hindu Law of Inheritance (Amendment) Act, 1929.
Do.	1929	XXI	The Transfer of Property (Amendment) Supplementary Act, 1929.
Do.	1930	II	The Dangerous Drugs Act, 1930.
Do.	1931	XXIII	The Indian Press (Emergency Powers) Act, 1931.
Do.	1932	XI	The Public Suits Validation Act, 1932.
Do.	1932	XXIII	The Criminal Law Amendment Act, 1932.
Do.	1934	XXX	The Petroleum Act, 1934.
Do.	1937	I	The Agricultural Produce (Grading and Marking) Act, 1937.
Do.	1937	XVIII	The Hindu Women's Rights to Property Act, 1937.
Do.	1938	X	The Cutchi Memons Act, 1938.
Do.	1939	XXX	The Commercial Documents Evidence Act, 1939.
Do.	1940	XXIII	The Drugs Act, 1940.

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Names of States.	Year.	Number.	Short title.
(1)	(2)	(3)	(4)
		CENTRAL ACTS—*cont.*	
Pudukkottai, Banganapalle and Sandur.	1942	XIX	The Industrial Statistics Act, 1942.
Do.	1944	XVIII	The Public Debt Act, 1944.
		CENTRAL ACTS OF LOCAL APPLICATION.	
Pudukkottai, Banganapalle and Sandur.	1839	VII	The Madras Rent and Revenue Sales Act, 1839.
Do.	1849	X	The Madras Revenue Commissioner Act, 1849.
Do.	1857	VII	The Madras Uncovenanted Officers Act, 1857.
Do.	1858	I	The Madras Compulsory Labour Act, 1858.
Do.	1859	XXIV	The Madras District Police Act, 1859.
Do.	1873	III	The Madras Civil Courts Act, 1873.
Do.	1882	XXI	The Madras Forest (Validation) Act, 1882.
		MADRAS REGULATIONS.	
Pudukkottai, Banganapalle and Sandur.	1802	III	The Madras Administration of Estates Regulation, 1802.
Do.	1802	XXVI	The Madras Land Registration Regulation, 1802.
Do.	1803		The Madras Board of Revenue Regulation, 1803.
Do.	1803	II	The Madras Collectors Regulation, 1803.
Do.	1817	VII	The Madras Endowments and Escheats Regulation, 1817.
Do.	1817	III	The Madras Revenue Recovery (Military Proprietors) Regulation, 1817.
Do.	1819	II	The Madras State Prisoners Regulation, 1819.
Do.	1822	IX	The Madras Revenue Malversation Regulation, 1822.
Do.	1828	VII	The Madras Subordinate Collectors and Revenue Malversation (Amendment) Regulation, 1828.
Do.	1829	V	The Madras Hindu Wills Regulation, 1829.
Do.	1831	X	The Madras Sale of Minors Estates Regulation, 1831.
		MADRAS ACTS.	
Banganapalle	1862	IV	The Madras Enfranchised Inams Act, 1862.
Pudukkottai, Banganapalle and Sandur.	1864	II	The Madras Revenue Recovery Act, 1864.
Do.	1865	VII	The Madras Irrigation Cess Act, 1865.
Banganapalle	1866	IV	The Madras Enfranchised Inams Act, 1866.
Pudukkottai, Banganapalle and Sandur.	1867	I	The Madras General Clauses Act, 1867.
Do.	1869	III	The Madras Revenue Summonses Act, 1869.
Banganapalle	1869	VIII	The Madras Inams Act, 1869.
Pudukkottai, Banganapalle and Sandur.	1873	I	The Madras Wild Elephants Preservation Act, 1873.
Do.	1882	V	The Madras Forest Act, 1882.
Do.	1884	VI	The Madras Rivers Conservancy Act, 1884.
Do.	1888	II	The Places of Public Resort Act, 1888.
Do.	1889		The Madras Village Courts Act, 1888.
Do.	1890	II	The Canals and Public Ferries Act, 1890.
Do.	1891	I	The Madras General Clauses Act, 1891
Do.	1893		The Madras Revenue Enquiries Act, 1893.
Do.	1894	I	The Madras Board of Revenue Act, 1894.

Name of State.	Year.	Number.	Short title.
(1)	(2)	(3)	(4)
		MADRAS ACTS—*cont.*	
Banganapalle	1895	III	The Madras Hereditary Village-offices Act, 1895.
Pudukkottai, Banganapalle and Sandur.	1898	V	The Malabar Wills Act, 1898.
Do.	1899	III	The Madras Registration of Births and Deaths Act, 1899.
Do.	1902	I	The Madras Court of Wards Act, 1902.
Do.	1905	III	The Madras Land Encroachment Act, 1905.
Do.	1911	V	The Madras Hackney Carriage Act, 1911.
Do.	1914	I	The Hindu Transfers and Bequests Act, 1914.
Do.	1914	IV	The Madras Medical Registration Act, 1914.
Do.	1914	VII	The Madras Deputy Collectors Act, 1914.
Do.	1918	I	The Mappilla Succession Act, 1918.
Do.	1918	III	The Madras Prevention of Adulteration Act, 1918.
Do.	1919	III	The Madras Agricultural Pests and Diseases Act, 1919.
Do.	1919	VII	The Madras Forest (Amendment) Act, 1919.
Do.	1920	IV	The Madras Children Act, 1920.
Pudukkottai	1920	V	The Madras District Municipalities Act, 1920.
Pudukkottai, Banganapalle and Sandur.	1920	VII	The Madras Town-Planning Act, 1920.
Do.	1920	VIII	The Madras Elementary Education Act, 1920.
Do.	1920	XIV	The Madras Local Boards Act, 1920.
Do.	1923	V	The Madras State Aid to Industries Act, 1922.
Do.	1923	VIII	The Madras Survey and Boundaries Act, 1923.
Do.	1926	III	The Madras Nurses and Midwives Act, 1926.
Banganapalle	1926	IV	The Madras Village Officers' Restoration Act, 1926.
Pudukkottai, Banganapalle and Sandur.	1926	V	The Madras Borstal Schools Act, 1925.
Pudukkottai and Banganapalle.	1927	II	The Madras Hindu Religious Endowments Act, 1926.
Pudukkottai, Banganapalle and Sandur.	1928	VII	The Mappilla Wills Act, 1928.
Do.	1929	III	The Jaina Succession Act, 1928.
Do.	1930	III	The Madras Gaming Act, 1930.
Do.	1932	VII	The Madras Cotton Control Act, 1932.
Do.	1933	XX	The Madras Commercial Crops Markets Act, 1933.
Do.	1933	XXI	The Madras Nambudri Act, 1932.
Do.	1933	XXII	The Madras Marumakkattayam Act, 1932.
Do.	1934	X	The Madras Co-operative Land Mortgage Banks Act, 1934.
Do.	1935	VI	The Madras Maternity Benefit Act, 1934.
Do.	1935	VII	The Madras Debtors' Protection Act, 1935.
Do.	1936	XI	The Madras Debt Conciliation Act, 1936.
Do.	1936	XVI	The Madras Famine Relief Fund Act, 1936.
Do	1937	III	The Madras Probation of Offenders Act, 1936.

Names of States.	*Year.*	*Number.*	*Short title.*
(1)	(2)	(3)	(4)
		MADRAS ACTS—*cont.*	
Pudukkottai, Banganapalle and Sandur.	1937	IX	The Madras Payment of Salaries and Removal of Disqualifications Act, 1937.
Do.	1938	IV	The Madras Agriculturists' Relief Act, 1938.
Do.	1938	V	The Madras Traffic Control Act, 1938.
Do.	1938	XXI	The Removal of Civil Disabilities Act, 1938.
Do.	1939	III	The Madras Public Health Act, 1939.
Do.	1939	V	The Madras Electricity Duty Act, 1939.
Do.	1939	VI	The Madras Sales of Motor Spirit Taxation Act, 1939.
Do.	1939	IX	The Madras General Sales Tax Act, 1939.
Do.	1939	X	The Madras Entertainments Tax Act, 1939.
Do.	1939	XVII	The Mappilla Marumakkattayam Act, 1938.
Banganapalle	1939	XVIII	The Madras Restoration of Village Officers (Validation) Act, 1939.
Pudukkóttai, Banganapalle and Sandur.	1942	XIII	The Madras Irrigation (Voluntary Cess) Act, 1942.
Do.	1943	XVI	The Madras Stamp (Increase of Duties) Act, 1943.
Do.	1943	XVIII	The Madras Irrigation Works (Repairs, Improvement and Construction) Act, 1943.
Do.	1943	XXIII	The Madras Pawnbrokers Act, 1943.
Do.	1945	XIII	The Madras Prevention of Begging Act, 1945.
Do.	1947	V	The Madras Temple Entry Authorization Act, 1947.
Do.	1947	IX	The Bar Councils and Legal Practitioners (Madras Amendment) Act, 1947.
Do.	1947	XXVI	The Madras Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1947.
Do.	1947	XXXI	The Madras Devadasis (Prevention of Dedication) Act, 1947.
Do.	1947	XXXVI	The Madras Shops and Establishments Act, 1947.
Do.	1948	I	The Madras Home Guards Act, 1948.
Do.	1948	III	The Madras Suppression of Disturbances Act, 1948.
Do.	1948	VI	The Madras Restriction of Habitual Offenders Act, 1948.
Do.	1949	VI	The Madras Hindu (Bigamy Prevention and Divorce) Act, 1949.
Do.	1949	IX	The Madras Aliyasantana Act, 1949.
Do.	1949	XIX	The Madras Irrigation Tanks (Improvement) Act, 1949.
Do.	1949	XX	The Madras Sugar Factories Control Act, 1949.

THE SECOND SCHEDULE.

[*See* section 14 (3).]

TRANSITIONAL PROVISIONS.

The Sandur municipality constituted under the Mysore Minor Municipalities Act, 1933, and every panchayat constituted under the Sandur Village Panchayats Act, 1939, shall be deemed to be a panchayat constituted under the Madras Local Boards Act, 1920.

2. Notwithstanding anything contained in the Madras Local Boards Act, 1920, as applied to the Sandur State (hereinafter referred to as the said Act)—

(*a*) (i) the members of the Sandur municipality holding office immediately before the 1st January 1950 shall, subject to the provisions of sections 56, 57 and 59 of the said Act, be deemed to be members of the Sandur panchayat on and from that date;

(ii) the term of office of the members of every panchayat holding office immediately before the 1st January 1950 and of the members of the panchayat referred to in sub-clause (i) shall extend to, or expire on, as the case may be, such date as the Provincial Government may fix, and the Provincial Government shall cause elections to be held so that the newly elected members may come into office on the date fixed for the retirement of the old members ;

(iii) the Provincial Government may from time to time postpone any date fixed by them under sub-clause (ii) and fix another date in lieu thereof ;

(*b*) the president of the Sandur municipality and of every panchayat, holding office immediately before the 1st January 1950, shall, subject to the provisions of sub-sections (1) and (2) of section 15 and section 43 of the said Act, hold office as president of the panchayat concerned up to, or vacate office on, the date fixed under clause (*a*) ;

(*c*) a meeting of the newly elected members of every panchayat shall be held on or as soon as may be after the said date on a day and at a time fixed by the Provincial Government or such other authority as may be empowered by them in this behalf for the election of the president ;

(*d*) the term of office of the newly elected members of every panchayat or the members elected in their places at casual vacancies shall expire at the end of three years, if the date fixed under clause (*a*) is the first day of November and in other cases, at the end of three years from the first day of November immediately preceding such date ;

(*e*) any vacancy in the office of president of any panchayat which is in existence on the 1st January 1950 or which occurs before the date fixed under clause (*a*) shall be filled by election by the panchayat ;

(*f*) any such vacancy in the office of an appointed member of a panchayat shall be filled by appointment by the Provincial Government and in that of an elected member by election under the provisions of the said Act on the basis of the electoral rolls in force on the 31st December 1949 ; and

(*g*) any person elected or appointed as president or as member of a panchayat under clause (*e*) or (*f*) shall hold office only up to the date fixed under clause (*a*).

Rev Dept.

[S 2869 K 49]

States - Sandur - Merger - Taking over administration of States Department and application of Provincial and Central Laws.

To A.S. II.

Please see the extracts of notes of this deptt on ℘ 1 c.f. and the D.O. Notes from Pub (POR) Deptt on ℘ 3.7 c.f.

2 The state of Sandur has merged with the Indian Union with effect from 1.4.49. The Govt. of India have delegated to this Govt under the Extra Provincial Jurisdiction Act, necessary powers for the governance of the merged area. The proposals to be dealt with in this file are:

(i) to formally authorise the D. G. of Regn to take over the administration of the Registration department of the state and run the deptt with reference to the State Laws till the Acts of the Indian union are extended to the area; and

(ii) to extend the Indian Registration Act 1908 and the Indian Stamp Act 1899 to the Sandur State as was done in.

Para 1 ante

— do —

Para 4 ante

A ante

Para 6 ante

the cases of Pudukkottai and Banganapalle in G.O. Nos. 2722 Rev & 16.11.48, 2703 Rev & 15.11.48 and 1872 Rev & 5.8.48.

(N) — Remains
(A) — Removed
(B)

Item (i) as per note:

The issue of formal authorisation by Govt. under the Extra Provincial Jurisdiction Act 1947 enabling the ~~Heads of Depts~~ Heads of Depts. to take over the administration of the departments of the State is not only necessary for the D.G. of Regs. with reference to the Registration Dept but also to the other Heads of Dept. under this department's control (Viz Bd of Rev (LR) Bd of Rev (Ex) and Bd of Rev (C.T.)) with reference to the corresponding departments in the State area. In the circumstances it appears ~~to be~~ desirable for to issue ~~the issue may~~ a single consolidated authorisation for all the Heads of Depts under this department's control. A section may take necessary action in this regard.

Item (ii) as per note:

The D.G. of Regs may be asked to state the date from which the Indian Regn Act 1908 and the Indian Stamp Act 1899 may be extended and ~~also~~ the D.G. may also be requested to submit draft notifications for the purpose on the analogy of the notifications issued in respect of Pudukkottai

and Banganapalle states extending the two Acts

3 Subject to orders a draft memo is submitted for approval. Pub (PoW) may see before issue

Pg hgn
8649 1649

Theo A.

A memo will be issued from A-sec in respect of proposal. (1) & (ii) approved

Pat (PoW)
15/4/49
15649

S. To A.S.II

Please see the notes above on ff 1-3 above. The A section is taking action to address the Heads of Depts. under this dept's control — vide s above. The file may lie over till the I.G.'s ref. is received in the A section.

Pg hgn 15-6-49
15649

1649

ff 8-9 CF From Pub (PoW) U.O No 2807/49-4 dt 5/6/49
— x — [2 Refs.]

To A.S.

Please see the notes above and the U.O. notes from the Pub (PoW) dept at ff 8-9 CF.

2 With reference to 'S' above in memo no. 3129 C A/49-2 Rev dt 6/7/49 the Bd of Rev and the I.G. Inspn have been requested to examine whether any modifications are necessary to the Indian Stamp Act and the Indian Registration Act

A's typed file Copy on pp. 12-13 CF

respectively in their extension to the state of Sandur and to suggest a suitable date from which they may be extended to the State. Their reports are still awaited. A

3. So far as 'H' on p 8 of the is concerned, an extract of it may be sent to the I.G. Forests for necessary action. Attention is in this connection invited to GO No. 1736 Rev dt 2/7/49 in (H) which the I.G. was authorised to take charge of the administration of the Registration Dept and exercise all powers and functions in connection therewith in accordance with the relevant laws in force in the said state with such modifications not affecting substance, as may be necessary until the corresponding laws in force in the Province of Madras are extended to the State.

4. As regards "Stamps" the Collr of Bellary has recommended that in the state has merged in the Dominion, the Rajah's stamps may be withdrawn from circulation and alternatively to avoid waste of state stamps which is expected to last for about 10 years the seal of the Madras govt may be super imposed and the stamps made use of. The Board does not however agree with the Collector's recommendation but has pointed out that the Indian Stamp Act may be extended to the state. p 9 of

~~This for action with reference to the Board's recommendation may be communicated after necessary action to extend the Indian Stamp Act to the state will be taken.~~

and Banganapalle States extending the two Acts.

3 Subject to orders a draft memo is submitted for approval. Pub (PSW) may see before issue

8649 11649

Theo A.

A memo will be issued from A-Sec in respect of proviso (1) to 2(11) exp/auth

15/6/49 15/6/49

S. To A.S II

Please see the notes above on ff 1-3 above. The A section is taking action to address the Heads of Depts. under this dept's Conf. — vide S above. The file may lie over till the I.G.'s ref. is received in the A section.

15649 15-6-49

15649

ff 8-9 CF From Pub (Poll) U.O No 2807/49-4 dt 5/8/49 [2 Refs.]

— x —

To A.S.

Please see the notes above and the U.O. notes from the Pub (Poll) dept at ff 8-9 CF.

2 With reference to 'S' above, in memo no. 3129 C A/49-2 Rev dt 6/7/49 the Bd of Rev and the I.G. of Regn have been requested to examine whether any modifications are necessary to the Indian Stamp Act and the Indian Registration Act

A's typed file Copy on pp. 12-13 CF

It is for orders whether the Board's recommendation will be accepted. If so necessary action to extend the Indian stamp Act to the Sandur State will be taken on receipt of the Bd's report referred to in para 2 above. On the introduction of the use of the Indian Union stamps in the State of Sandur, the Bd will no doubt take necessary action to destroy the excess state stamps lying without demand in the state, under S.O. 45 of the Madras Stamp Manual.

5 With refce to para 3 above, a draft memo to the D.G. & Regr is submitted for approval.

12/8/49

15.8.49

Thro 'A'

W.r.t 'A' on pp 3-4 ante

12/8/49

13/8/49

To A.S.

The attention of the Board may also be invited to Govt Memo No. 3129 C1 A1/49-2 Rev dt 6/7/49 and it may be informed that the Govt await its report in the matter. The Board may also be asked to state what it proposes to do with the Rajah's stamps consequent on the extension of the Stamp Act to the State of Sandur. Subject to orders a draft memo is submitted for approval. The draft memo already put up to the D.G. may also now issue.

25/8/49

25.8.49

Issued as Memo 32869 K/49-1, dated 26-8-49. p1 ante

Issued as Memo 32869 K/49-2 dated 26-8-49. p11 ante

From the Bd. of Rev.Ref.K.5390/49-7, dated 18-10-49. p12 ante

***

To A.S.

Please see the notes from page 1 ante and the Board's Ref. on page 12 C.F.

2. The file relates to the extension of the provisions of the Indian Stamp Act of 1899 and the Indian Registration Act of 1908 to the merged State of Sandur. The Board and the I.G. of Registration were requested to examine whether any modifications were necessary to the above mentioned Acts and to suggest a suitable date from which the Acts might be extended. The Board's report in the matter is at p.12 C.F. 'A' on p 12 ante The Board recommends that the Indian Stamp Act may be extended to the Sandur area without any modifications with effect from the date of publication of the notification. The I.G.'s report in the matter has been received and it is dealt with separately in another file. p12 ante ⊗ Con 4927/49.

3. It is submitted in this connection that the Government of India have since published for general information the States Merger (Governor's Provinces) Order, 1949 and it has been republished in the Fort St.George Gazette Extraordinary dated 1-8-49. With reference to the proviso to para 4 of that order, no orders can be made from 1-8-49 by the Government under the Extra Provincial Jurisdiction Act, 1947 and no enactment in force in Madras Province can be extended to the merged States after 1-8-49 except by legislation. With this view the Central Govt. have decided to introduce a Bill for the extension of the Central Acts to the merged States in the ensuing session of the Dominion Legislature which is scheduled to commence from 28-11-49. The Bill will also contain a commencement clause stating that the Act shall come into force on the 1st January 1950. In order to introduce a similar Bill in the Provincial Legislature the Pub.(Poll.) Dept. have called for a copy of the Central Government Bill* and as the Provincial Bill should be complete and comprehensive

* Ltr 3681 Appts

and as the proposed legislation should come into force from 1-1-1950 the Deptts. of the Sectt. have been asked to furnish the Pub.(Poll.) Dept. with a complete and self-contained list of all Acts, Regulations, Ordinances etc. whether Central or Provincial and whether already extended or not, which are to be extended to the 3 merged States of Pudukkottai, Banganapalle and Sandur and whether the Act should be extended to with any modifications. A section is taking necessary action to send a consolidated reply. No action is therefore called for now. The file may lie over till 5-1-1950 or till the proposed legislation is enacted whichever is earlier.

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pp15-16 C.F. From the Board of Revenue, Ref. W. 5390/49-8, dated 6-12-1949.

To A.S.

Please see the notes on pp. 6-7 above and the Board's reference on pp. 15-16 C.F.

p13 C.F. 2. The Board of Revenue recommended that the Indian Stamp Act of 1899 might be extended to the merged area of Sandur without any modifications. The Legal Department who are drafting a Bill for the extension of the Provincial Acts to the merged areas of Pudukkottai, Banganapalle and Sandur have been informed accordingly. The Board now recommends that, as it is necessary to allow reasonable time for the surrender of unused State stamps, the Indian Stamp Act and the Court Fees Act may be introduced in the ~~SkakaXakaaXXaXXXXheXSkaKaXXakaaXXXX

State area from 1-3-1950. The Home Department will have to examine the proposal of the Board in so far as it relates to the extension of the Court Fees Act. B

3. As regards the Indian Stamp Act it is submitted that legislation extending this Act to the merged areas falls within the concurrent legislative field. The Indian Stamp Act has therefore been included both in the Central and in the Provincial Bills. The Indian Stamp ~~Act~~ (Amendment) Act of 1922 and the Indian Stamp (Enhancement of Duties) Act, 1943 have been included in the Provincial Bill. Both the Central and the Provincial Bills are scheduled to come into force with effect from 1-1-1950. As the Stamp Act will be one among a number of Acts to be extended, it will not be possible to enforce ~~the~~ this Act alone with effect from a later date, i.e., from 1-3-1950. For orders whether the Board of Revenue may be informed accordingly.

A modification of the date appears unnecessary
16/12/49

Home and Legal may see for remarks.

13.12.49 13/12/49

It appears better if we issue a Press Note notifying that the Govt intend to (Indian State Legislature) extend the Indian Stamp Act to Saurashtra with effect from 1-1-1950, & that documents if the legislation goes through all documents executed on or after that date will have to be on the Indian Stamp paper.

The Collr may also be directed to inform all stamp vendors not to sell state Stamps on or after 1-1-1950 & to ask them to surrender the (state) stamps on the 1st working day in 1950 to the treasury

See in this Connection the memo A

issued in ~~re~~ to Pudukkottai at pp 9-10 ante
Sn (B)

I
12

Home. Legal. Fin may see the
enclosed remarks

16.12.49 D.S.

131681
16/12

16/12/49

Home.

Rev.Sn 3281964/49-5

Legal.

16.12.49 6.30PM

Fin

ASSISTANT SECRETARY TO GOVERNMENT
16 DEC 1949
HOME DEPARTMENT

Home (F)

The Revenue-dept's notes from
xx on p7 ante may be perused.
With reference to B on p8 ante, it may
be mentioned that a copy of the Board's
letter at p15 ante has been received in this
dept. It is to be examined in the top-file.

p14 in top-file

2. The Revenue dept's proposal at
A on p8 ante will be applicable in
the case of judicial stamps also and may,
therefore, be agreed to subject to the remarks of Legal on it.

3. The file may be passed on to
Legal.

Legal.

19.12.49

20/12/49

Legal.

Legal Department

Seen in Legal. No remarks are called for in this department.

22.12.49

ASSISTANT SECRETARY
17116
20 DEC 1949
Home and
LEGAL DEPARTMENT

22/12/49

Legal memo 17116/49
22/12/49

Fin

3285 F K

Fin (Estt A)

The letter from the accounts & Audit may be passed

The proposals of Rev on page 8 & above may be agreed to in Fin

Rev
23.12.49

23/12/49

Rev

Fin W 8-2853(A)

Accts/Audit
23/12/49

Rev. Deptt.

To Hd.

Please see the note from P & Genl—

2 The Home and Legal Depts have agreed to the suggestions of this Deptt in P & S-Genl—

A draft Press note and a draft memo to the Collr of Bellary are submitted for approval. Copies of P.W. (G+P) may be before Council—

28/12/49 23/12/49

KB
24.12.49

S. 24/12/49

Fin (HH)

The draft press note placed below may be passed and the Case returned to Revenue.

7322/49.

26.12.49

Rev

Rev. Deptt.

PW C Genl P/c.
7322/Leg+
27/12/49

A 76933 K

To Secy.

The file may now be circulated to H.M. (L-R), H.M. (P.W.) & H/Fr. for approval of the drafts below.

27.12.49

27/12/49

Hd (Fin) is on leave & is taking over on 1/1/50. In my absence the Hon'ble P.W. & H/Fr. may be pleased to sign.

27/12/49

Hon (Fin)
27.12. H.Fr.

Hon (Leg) — agree.

C.27/12

SECRETARY TO GOVERNMENT
27 DEC 1949
REVENUE DEPARTMENT

ADDITIONAL ASST. SECRETARY TO GOVERNMENT
26423
28 DEC 49
REVENUE DEPARTMENT

ADDITIONAL ASST. SECRETARY TO GOVERNMENT
27 DEC 1949
REVENUE DEPARTMENT

J.A.S

Please see the orders in Circulation at p 10 ante — & the file may now be sent to P.W.D (I & P) for issue of the Press note below

27.12.44 — 27.12.44

KRS

28/12/44 — P.W (I&P)

Rev no 3286 9/44-6

28/12/44

28/12/44

28/12/44

P. W (I&P) Depot

The press note has been issued. The file may be returned to Rev. Dept

Rev

28/12/44

Rev no 7884/Leg-I 28/12/44.

29-12-44

Rev. Dept

Please see the note from p 7 ante, and the order at the bottom of p 10 ante. The Press note at p 19 c/f has been issued. The file may now be circulated to H M (L&C) for perusal

Rev 3/1/45

30/12/44 — 31/12/44

Has the Provincial Bill extending the Indian Stamp Act to the Hyderabad State, been passed into Law?

To A. S.

7.1.45.

It is informally understood from (N) — Legal that the Provincial Bill extending

32869 Kml

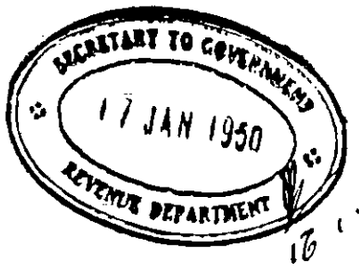
12
11

the Indian Stamp Act to the merged areas of Pudukkottai, Banganapalle & Sandur with effect from 1-1-50 has since been passed into law.

7-1-50.

11.1.50

12)



(Dft. to LR)

C. 161

Rev. Dept

2.A.S.

Please see the note from Pay & Audit. No further action seems called for on this file. The papers may be recorded.

Under orders communicated

G.O.Ms.No. dated -1-50.

Recorded.

24.1.50

24.1.50

Please note the page number & date of the Legislative Notification No. 1 of 1950 published at page 109 of the Fort St. George Gazette dated 17th January 1950.

25-1-50

24.1.50

24.1.50

To A.S.

The file deals with the extension of following acts to Ex. Sandur:-

1) The Indian Stamp Act 1899.
2) The Indian Registration Act 1908, and
3) The Indian Stamp (Enhancement of Duties) Act 1943.

2. The Indian Stamp Act 1899.

In the Merged States (Laws) Act 1949 (Central Act LIX of 49) the Indian

Stamp Act 1899 was extended to the merged areas. The Central Act was republished in ~~Part Extract~~ at pages 199 - 208 of Part III - B of the Fort St. George Gazette dated 17-1-50 (S)

The Indian Registration Act 1908:- This was extended to the merged States in the above Central Act. (S)

The Indian Stamp (Enhancement of Duty) Act 1943:-

This act was extended in Madras Merged States (Laws) Act 1949 - Madras Act XXXV/49. This was published at pages 293-305 of Part IV-B of the Fort St. George Gazette Extraordinary dated 30.12.49.

No further action is called for.

The papers may be recorded as G.O.Ms.477 d 22/2/50

1925 (Copies of the Central Acts ~~Madras Acts~~ not readily available)

Rw 20.2.50

Sub: States - Saudur - Merger - Extension of Indian Stamp Act 1899, Indian Stamp Registration Act 1908 - Papers recorded

21/2/50

Copies of pages 22-30 Cf
&
Pp 21-33 Cf in PF